



**City of Bellevue
Development Services
Land Use Division Staff Report**

Proposal Name: Carport Addition Variance

Proposal Address: 12648 NE 4th St

Proposal Description: Land Use Code Variance to reduce the required 20-foot front yard setback to 10 feet in the R-3.5 zoning district. The variance will allow a 10-foot setback in order to construct a carport onto the front of a single-family home which currently does not have enclosed automobile storage.

File Number: 11-103679-LS


Applicant: Dr. Uday Mehta

Decisions Included: Administrative Variance (Process II)

Planner: Drew Folsom

State Environmental Policy Act
Threshold Determination: **Exempt pursuant to WAC 197-11-800(6)(b)**

Director's Decision: **Approval with conditions**
Michael A. Brennan, Director
Development Services Department

By: 
Carol V. Helland, Land Use Director,

Application Date: February 1, 2011
Notice of Application Date: March 10, 2011
Notice of Decision Date: February 23, 2012
Appeal Deadline: March 8, 2012

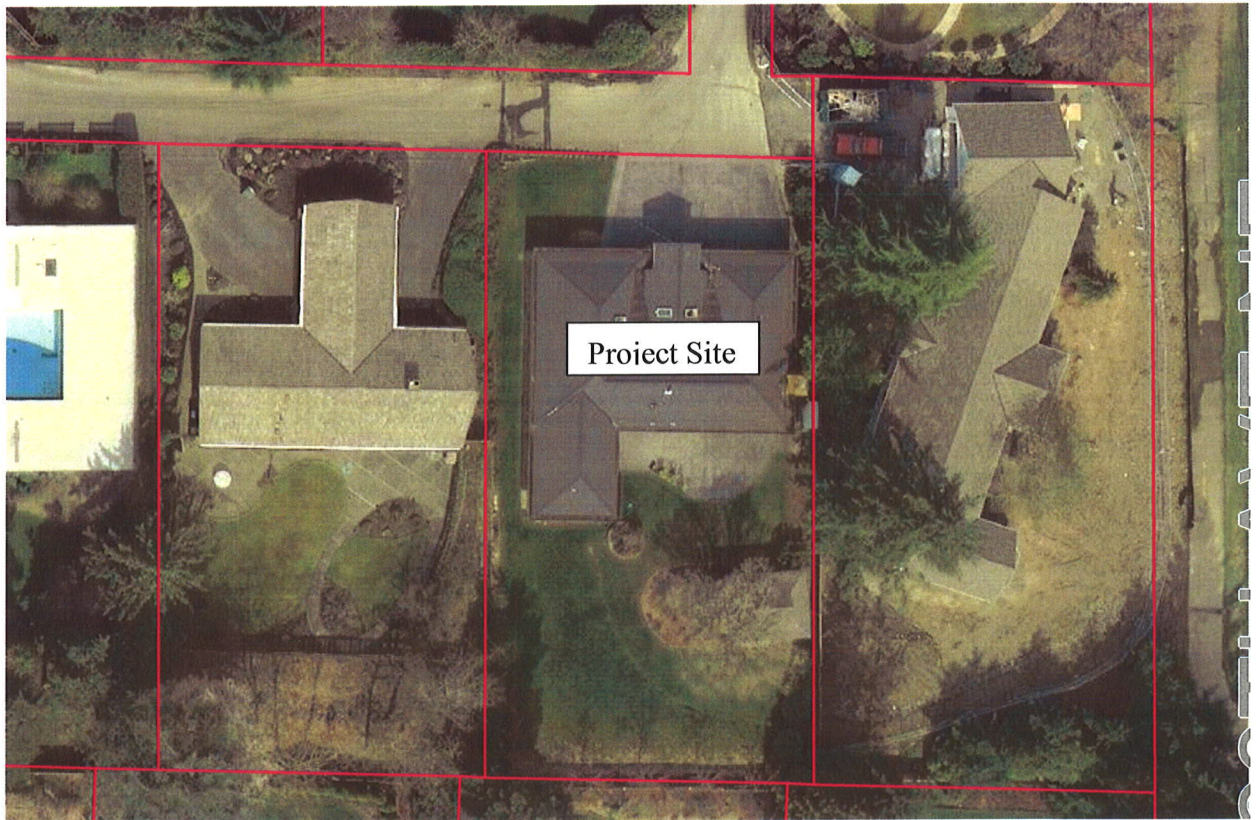
For information on how to appeal a proposal, visit the Development Services at City Hall or call 455-6800 (TTY (206) 462-4636). Appeal of the Decision must be made with the City Clerk by 5 PM on the date noted for appeal of the decision.

I. Project Description

The applicant is requesting variance approval to reduce the required 20-foot front yard setback to 10-feet in order to construct a carport. The variance will accommodate the addition of a 279 square foot carport onto an existing home that currently does not have a garage. The proposed addition is to be one-story and located off the front northeast corner of the structure. The addition will extend approximately 13.9-feet towards the front property line resulting in a front yard setback of 10-feet in the R-3.5 Land Use District. The variance will allow a 10-foot setback in order to construct a carport. A previous variance granting, a front yard setback of 13.5 feet was granted. The applicant has requested a variance for the additional 3.5 feet to provide a depth of 13.9 feet to better accommodate the residents' vehicles.

II. Site Description and Context

The site is located in the R-3.5 zoning district in the Wilburton subarea. The parcel is located off of a private road in a residential neighborhood surrounded by lots of similar size to the north, south, east, and west. The site is generally flat and it gains access from a 20-foot wide private access tract.



III. Community Input on the Proposal:

On March 10, 2011 the notice for the project was published in the Weekly Permit Bulletin and mailed to property owners within 500-feet of the subject site.

Comments were received expressing concern that the proposed variance is being granted to accommodate a home occupation permit issued in 2009 for a medical practice.

Response: The proposed variance is being sought to provide a carport associated with the residence of the home. The proposed carport does not change the residential character of the house. Garages and carports are typical components of residential homes. The proposed depth of the carport is less than 14 feet with a width of 20 feet. Neither of these dimensions represents a design which is out of character with standard residential development.

IV. Technical Review:

Transportation: On January 14, 2012 Transportation Review indicated there were no concerns with the application and imposed no conditions.

V. Purpose

A variance is a mechanism by which the City may grant relief from the provisions of the Land Use Code where practical difficulty renders compliance with the provisions of that Code an unnecessary hardship, where the hardship is a result of the physical characteristics of the subject property, and where the purposes of that code and of the comprehensive plan can be fulfilled.

VI. Decision Criteria:

20.30G.140 Decision Criteria for a Variance

The Director may approve or approve with modifications an application for a Variance if all of the following criteria are met:

- A. The variance will not constitute a grant of special privilege inconsistent with the limitation upon uses of other properties in the vicinity and land use district of the subject property.**

Finding: According to the King County Department of Assessments almost every home located along NE 3rd, 4th Street, NE 5th street, and NE 6th street between the blocks of 126th and 128th Ave NE has either a garage or attached carport as one of its features. Several of these houses (12638 NE 3rd St, 12640 NE 4th St, 12657 NE 5th Street, and 12615 NE 6th St) have garages or carports which intrude into front yard setbacks. The depth of these carports or garages is 16 to 22 feet. Additionally, the properties immediately adjacent to the proposed variance have intrusions into the front

yard setback. The property to the east (1256 NE 4th street) has a front yard setback of approximately 8-10 feet due to the location of the residence. The property to the west (12640 NE 4th St) has a front yard setback of approximately 13 feet to provide a carport with a width of 25 feet and a depth of 18 feet.

- B. The variance is necessary because of special circumstances relating to the size, shape, topography, location or surroundings of the subject property to provide it with the use rights and privileges permitted to other properties in the vicinity and in the land use district of the subject property.**

Finding: The single family structure on this site, built in 1959, had an attached carport at least as early as 1963, as the picture below shows (see picture A). This is consistent with the garages and carports included as part of the surrounding homes. This site is the only one within the vicinity without a structure for sheltered vehicle storage. The original carport was demolished under a different owner as part of a bedroom and bathroom addition in 2003 (City of Bellevue permit number 03-108546-BR). This site is also constrained by the unusual lot configuration of the immediate vicinity due to the homes having access off of a 20-foot tract rather than a fully developed public road.

A. Original carport structure



- C. The granting of the variance will not be materially detrimental to the public welfare or injurious to the property or improvements in the vicinity and land use district in which the subject property is located.**

Finding: The home is located on a private road and the addition will have a minimal impact on the scale of the existing structure and the structure will continue to be compatible with surrounding homes. The original carport was approximately 3-feet away from the front (north) property line (see attachment 2). The new proposed carport would be approximately 10 feet from the front property line.

D. The variance is not inconsistent with the Comprehensive Plan.

Finding: The site is located within the Wilburton subarea of the City of Bellevue Comprehensive Plan. The Subarea Land Use Plan designation of the site is Single-Family Medium (SF-M), consistent with the R-3.5 zoning designation. The following policies apply to this proposal:

Policy LU-21: Develop land use strategies to encourage the maintenance and updating of the city's older housing stock, so that neighborhoods are well-maintained and existing housing is preserved, updated, or modified to meet the evolving needs of residents.

Finding: The variance request will enhance the neighborhood by allowing the addition to an existing house so that its look and function is more in character with the surrounding homes. The variance also supports the maintenance and re-investment of existing housing stock.

VI. Conclusion and Decision:

After conducting the various administrative reviews associated with this proposal, including applicable Land Use consistency, and City Code and Standard compliance reviews, the Director of Development Services does hereby **APPROVE** the variance subject to the following condition.

VI. Condition of Approval:

The approval is limited to the front yard setback intrusion depicted on the site plan Sheet 1, dated January 3, 2012. The setback will be reduced to 10-feet. All other applicable R-3.5 zoning district dimensional standards must be met.

Authority: Land Use Code 20.30G.115 & 20.20.010

Reviewer: Drew Folsom, Development Services Department

VIII List of Attachments:

1. Plans and Drawings